

REMARKS

I. Introductory Remarks

Applicants request reconsideration of this application in view of the foregoing amendments and the following remarks. In the August 6, 2004 Office Action the Examiner has indicated that claims 22, 23 and 25-32 are allowed.

Upon entry of the amendments, claims 22-23, 25-34 and 36-44 will remain pending in the application, with claim 44 being withdrawn from consideration. Claim 33 is presently being amended and claim 35 is presently being canceled.

II. The Claims are Patentable over Dziegiel *et al.*, 1999

Claims 33 and 36-43 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Dziegiel *et al.*, J. Imm. Meth., 182: 7-19 (1995) ("Dziegiel"). According to the Office, Dziegiel describes a purified engineered Fab fragment that binds to the rhesus D erythrocyte surface antigen. This Fab fragment has an undefined V_L region that allegedly is a "functional variant" of SEQ ID NO: 60.

To better define their invention and to advance prosecution, Applicants have amended claim 33 to recite specific V_L region sequences that Dziegiel neither teaches nor suggests. The sequences previously were embodied in claim 35, and exemplary support for the amendment exists in original claim 1.

Because Dziegiel neither teaches nor suggests any of the V_L region sequences recited by the amended claims, Applicants respectfully request withdrawal of the rejection.

III. The Objection to Claims 34 and 35 is Moot

The Office objected to claims 34 and 35 as being dependent upon a rejected base claim; however, this rejection is now moot. In view of the foregoing amendments, the base claim (claim 33) is allowable. Additionally, claim 35 has been canceled.

IV. Concluding Remarks

Applicants respectfully request favorable reconsideration of this application, which now is in condition for allowance. If the Examiner believes that an interview would advance prosecution, he is invited to contact the undersigned attorney by telephone.

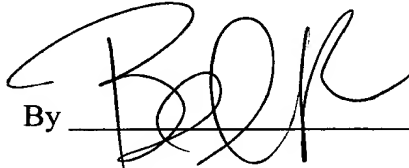
The Commissioner is hereby authorized to charge any additional fees that may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

3 November 2004

By



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